

Northern Plains Resource Council  
Testimony on SB 233  
February 2, 2011Beth Kaeding  
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Madam Chairman and members of the Committee, thank you for the opportunity to speak before you today. My name is Beth Kaeding and I live in Bozeman. I am the past chair of Northern Plains Resource Council, a grassroots conservation and family agriculture organization that organizes Montana citizens to protect our water quality, family farms and ranches, and rural economies. I am here today on behalf of our members.

The Montana Environmental Policy Act (MEPA), passed in 1971, instituted a "look before you leap" policy for Montana. The purpose of MEPA is to foster state government decisions that are informed, accountable, transparent, balanced, and open to public participation. The purpose of MEPA is to ensure that the public benefits from a project outweigh their social and environmental costs. This is a long-term policy for the future of Montana and her citizens.

SB 233 shifts the purpose of MEPA from a process that informs the public and decision makers about the impacts of state agency actions to one to where the legislature decides if environmental laws they enact "fulfill constitutional obligations." What a sham and what a shame. The core principle behind MEPA is to have a fair and open process for projects that impact the lives of Montana citizens. MEPA is about giving the public a voice in the decision-making process on projects that affect their lives. With this bill, the legislature is taking away the public's right to participate in their government's decisions.

Since the 1999 legislative session, MEPA has been under attack by interests that believe the state should not have to fully examine all aspects of a project or consider the public in the state's decisions. While MEPA has been changed by past legislatures, ~~SB~~ 233 would go to the extreme. It would succeed in removing the public from participating in government's decisions that affect their personal lives and livelihoods.

This will not lead to better decisions. This will not lead to balanced decisions. This will not lead to accountable decisions. This is not transparent government. This bill takes us back to the Copper King days of corporate control of Montana and her citizens – when decisions were made behind closed doors in smoke-filled rooms without input from citizens. This bill is a recipe for irreparable harm to Montana's land, water, air, communities, and diverse economies. To be clear once again, SB 233 takes citizen participation out of their government's decisions.

Northern Plains believes in the MEPA process—we believe that it is the state's obligation to ensure that the public good of a project outweighs the potential social and environmental damage. We believe that the State through its agencies has a responsibility to protect the environment for the State's citizens. We believe that the state through its agencies has an obligation, as Chairman Barrett pointed out on Monday, to protect the private property rights of landowners. And, we firmly believe in the right of Montana's citizens to participate in their government's decisions.

Northern Plains Resource Council urges this Committee to vote "No" on SB 233.